

United States Courts
Southern District of Texas
FILED

NOV 23 2018

A091 (Rev. 8/01) Criminal Complaint

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS**

David J. Bradley, Clerk of Court

UNITED STATES OF AMERICA

V.

Cristian RAMIREZ**Frank SILVA****Irma ZAMORA****CRIMINAL COMPLAINT**Case Number: **C-18-5229M**

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about November 22, 2018 in Brooks County, in the

(Date)

Southern District of Texas defendant, **Cristian RAMIREZ**
Frank SILVA
Irma ZAMORA

each aiding, abetting and assisting one another, did knowingly or in a reckless disregard of the fact that an alien had come to, entered, or remained in the United States in violation of law, transport, or move or attempt to transport or move such alien within the United States by means of transportation or otherwise, in furtherance of such violation of law

in violation of Title 8 United States Code, Section(s) 1324.
I further state that I am a(n) Border Patrol Agent and that this complaint is based on the
Official Title
following facts:

See Attached Affidavit of U.S. Border Patrol Agent **Antonino Gonzalez Jr.**

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Submitted by reliable electronic means, sworn to, signature attested telephonically per Fed.R.Crim.P.4.1, and probable cause found on the:

November 23, 2018

Date

Jason B. Libby U.S. Magistrate Judge

Name and Title of Judicial Officer

at

Antonino Gonzalez Jr.
Signature of Complainant

Antonino Gonzalez Jr.

Printed Name of Complainant

Corpus Christi, Texas
City and State

[Signature]
Signature of Judicial Officer

AFFIDAVIT

The information contained in this report/affidavit is based upon my personal participation in the investigation, which included, but is not limited to information relayed to me by other agents and officers participating in the investigation.

SYNOPSIS:

On November 22, 2018, Border Patrol Agents arrested Cristian RAMIREZ, Frank SILVA and Irma Yaneth ZAMORA at the United States Border Patrol Checkpoint near Falfurrias, Texas for attempting to smuggle two illegal alien concealed in the trunk of the car they were traveling in.

FACTS/DETAILS:

At approximately 4:05 p.m., a white Acura arrived at the Falfurrias Border Patrol Checkpoint primary inspection lane. The primary agent saw a driver and two rear seat passengers. While the agent at primary conducted, an immigration inspection of the occupants, a Border Patrol canine handler used his service canine to conduct a free air sniff of the exterior of the vehicle. The canine handler notified the primary agent that his canine alerted to the rear of the vehicle. The primary agent asked the driver later identified as Cristian RAMIREZ for consent to check the trunk and RAMIREZ stated "Yeah". RAMIREZ was unable to open the trunk using the trunk release and told the agent he needed to use the key. Agents instructed RAMIREZ to move the vehicle to the secondary inspection area for further inspection.

A search of the trunk revealed two male subjects hiding inside. The subjects Clemente JUAREZ-Gonzalez and Vidal De Jesus VELIZ-Cabrera admitted to being citizens and nationals of Guatemala illegally present in the United States. Cristian RAMIREZ, Frank SILVA, and Irma Yaneth ZAMORA were arrested for alien smuggling. JUAREZ-Gonzalez and VELIZ-Cabrera were arrested for being illegally present in the United States. Agents escorted all five subjects into the Border Patrol Checkpoint for further processing and interviewing.

Agents advised all five subjects of their Miranda Rights. They all stated they understood their rights. ZAMORA and JUAREZ-Gonzalez declined to give statements.

NOTE: Border Patrol, previously arrested ZAMORA for alien smuggling, but she was not prosecuted.

PRINCIPAL STATEMENT (Cristian RAMIREZ):

RAMIREZ stated ZAMORA arrived at his home at approximately 2:00 p.m. driving the white Acura they were encountered in. He also stated SILVA arrived at his home driving a different vehicle. He stated ZAMORA told him she had work for him, taking two illegal aliens to Houston, Texas. RAMIREZ stated he was going to be paid \$6,000.00 (\$3,000.00 for each alien) and he was going to split the money with ZAMORA. He stated that about 5 minutes before arriving at the checkpoint he heard SILVA telling the illegal aliens not to move.

CO-PRINCIPAL STATEMENT: (Frank SILVA):

SILVA stated he had traveled from Houston, Texas to visit his girlfriend (Irma Yaneth ZAMORA). SILVA stated to agents, he instructed the two illegal aliens VELIZ-Cabrera and JUAREZ-Gonzalez to get into the trunk of the Acura they were traveling in. He stated he closed

the trunk and was careful not to leave his fingerprints. SILVA, stated after loading the illegal aliens into the trunk, they went to get fuel and to wash the vehicle before driving north. He stated the aliens were locked in the trunk for a little over an hour before they arrived at the Border Patrol checkpoint. SILVA stated he instructed the illegal aliens not to make any noise or movement fifteen minutes before they arrived at the checkpoint. He stated he was not going to receive any monetary compensation for the smuggling attempt.

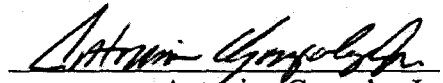
MATERIAL WITNESS STATEMENT (Vidal De Jesus VELIZ-Cabrera):

VILIZ-Cabrera stated he entered into the United States three days prior by crossing the Rio Grande River from Reynosa, Tamaulipas, Mexico. He stated after crossing the river he walked to an unknown church in McAllen, Texas where he met a tall, dark complexed Hispanic man. VILIZ-Cabrera stated the unknown man offered to smuggle him further north. He stated there was a white car in the driveway, there was a female and three men one of the men was JUAREZ-Gonzalez. VILIZ-Cabrera described the female as short, chubby with black hair. He stated the unknown man told him and JUAREZ-Gonzalez to get into the trunk. He stated he did not see who closed the trunk. VILIZ-Cabrera stated about two minutes later he heard the two rear doors shut then, the front driver's side door shut. He stated there on after he did not hear anything or anyone talking because there was loud music playing.

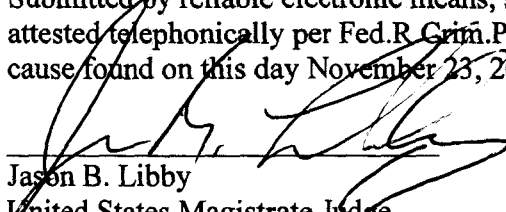
NOTE: Clemente JUAREZ-Gonzalez was processed accordingly.

DISPOSITION:

The facts of this case were presented to Assistant United States Attorney David Paxton who accepted Cristian RAMIREZ, Frank SILVA and Irma Yaneth ZAMORA for prosecution of 8 USC 1324, Alien Smuggling. Vilal De Jesus VELIZ-Cabrera will be held as a Material Witness.


Antonino Gonzalez Jr.
Border Patrol Agent

Submitted by reliable electronic means, sworn to, signature attested telephonically per Fed.R.Crim.P.4.1, and probable cause found on this day November 23, 2018


Jason B. Libby
United States Magistrate Judge